



BILLING CODE: 3510-DS-P

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

[A-570-954]

Certain Magnesia Carbon Bricks from the People's Republic of China: Rescission of Antidumping Duty Administrative Review; 2011-2012

AGENCY: Import Administration, International Trade Administration, Department of Commerce

EFFECTIVE DATE: [Insert date of publication in the *Federal Register*.]

FOR FURTHER INFORMATION CONTACT: Jerry Huang, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4047.

SUPPLEMENTARY INFORMATION:

Background

On September 4, 2012, the Department of Commerce (“the Department”) published a notice of opportunity to request an administrative review of the antidumping duty order on certain magnesia carbon bricks from the People's Republic of China (“PRC”) covering the period September 1, 2011, through August 31, 2012.¹ The Department received a timely request for review of Yingkou Bayuquan Refractories Co., Ltd. (“Yingkou Bayuquan”) from Vesuvius USA Corporation (“Vesuvius”), a U.S. importer of magnesia carbon bricks from the PRC.² Fengchi Imp. & Exp. Co., Ltd. of Haicheng City (“Fengchi”) and its producer Fengchi

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 77 FR 53863, 53864 (September 4, 2012).

² See Letter to the Department from Vesuvius, “Magnesia Carbon Bricks from China, Case No. A-570-954: Request for Antidumping Duty Administrative Review,” dated October 1, 2012.

Refractories Co., of Haicheng City also timely requested a review of Fengchi.³ On October 31, 2012, the Department published a notice of initiation of an administrative review of the antidumping duty order on certain magnesia carbon bricks from the PRC with respect to Fengchi and Yingkou Bayuquan.⁴ On December 21, 2012, Fengchi and Fengchi Refractories Co., of Haicheng City timely withdrew their request for review of Fengchi.⁵ On January 7, 2013, Vesuvius timely withdrew its request for review of Yingkou Bayuquan.⁶

Rescission

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if a party that requested the review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. Both parties timely submitted withdrawal requests within the 90-day period (*i.e.*, before January 29, 2013). Because we received no other requests for review of Fengchi, Yingkou Bayuquan or any other company subject to the order, we are rescinding this administrative review of the antidumping duty order on certain magnesia carbon bricks from the PRC in full, consistent with 19 CFR 351.213(d)(1).

Assessment

The Department will instruct U.S. Customs and Border Protection (“CBP”) to assess antidumping duties on all appropriate entries. Fengchi and Yingkou Bayuquan shall be assessed antidumping duties at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period September 1, 2011, through August 31, 2012, in accordance with 19 CFR 351.212(c)(1)(i). The Department

³ See Letter to the Department from Fengchi, “Magnesia Carbon Bricks from China, Case No. A-570-954: Request for Antidumping Duty Administrative Review,” dated October 1, 2012.

⁴ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 77 FR 65858 (October 31, 2012).

⁵ See Letter to the Department from Fengchi, “Magnesia Carbon Bricks from China, Case No. A-570-954: Withdrawal of Request for Antidumping Duty Administrative Review,” dated December 21, 2012.

⁶ See Letter to the Department from Vesuvius, “Magnesia Carbon Bricks from China, Case No. A-570-954: Withdrawal of Request for Antidumping Duty Administrative Review,” dated January 7, 2013.

intends to issue appropriate assessment instructions to CBP 15 days after publication of this notice.

Notification to Importers

This notice serves as the only reminder to importers of their responsibility, under 19 CFR 351.402(f)(2), to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Orders

This notice also serves as a final reminder to parties subject to the administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under an APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Christian Marsh
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

May 28, 2013
Date

[FR Doc. 2013-13432 Filed 06/05/2013 at 8:45 am; Publication Date: 06/06/2013]